

REMARKS

Claims 1 and 9 have been amended to include the word comprising, because this word is thought to broaden the claims. This change is not in response to any rejection.

New claims 12-16 reinstate previously cancelled multiple dependencies.

The title and abstract are revised herein as requested by the Examiner.

The holding of allowable subject matter is gratefully acknowledged. Claim 9 has been amended to put it into independent form.

Rejections under section 112

Applicant does not understand the rejection here. Is the Examiner objecting to the specification or the claim? Clarification is respectfully requested.

In any case, it appears to the undersigned that the specification clearly does enable both coatings. Whether the coatings are on the inner or outer bulb is a matter of the embodiment. Applicant does not see that it is necessary to recite in claim 6 that the Fe₂O₃ and SiO₂ coating is on an outer bulb. That is a detail of the preferred embodiment that need not be recited in all claims.

Art rejections

The art rejections are respectfully traversed.

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Any of the Examiner's rejections and/or points of argument that are not addressed below would appear to be moot in view of the following. Nevertheless, Applicant reserves the right to respond to those rejections and arguments and to advance additional arguments at a later date. No arguments are waived and none of the Examiner's statements are conceded.

Kawakatsu

Applicant respectfully submits that the Examiner mischaracterizes the Kawakatsu reference. The Examiner states that it teaches reflecting middle infrared and transmitting near infrared. Applicant respectfully submits that the reference is not at all clear on this point. From Fig. 3 of the reference, it appears that transmission in the near infrared range (800-1000nm) is spotty at best. Also the reference states repeatedly that the goal is to achieve visible transparency and infra red reflectiveness – with nothing at all mentioned about near infrared. While Applicant believes that claim 1 does distinguish patentably over this reference, new claim 18 has been added to clarify that the coating is transparent for substantially all wavelengths in the range of 800-1000nm.

The specification of the present application explains that the purpose of the invention is for night vision. By contrast, the reference appears to relate to ordinary

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vehicle head lights, with no mention of night vision. Accordingly, one of ordinary skill in the art would not have looked to Kawakatsu to solve the problems presented.

Kuus

Applicant respectfully submits that the Examiner mischaracterizes Kuus. The Examiner cites Kuus for layers of Nb_2O_5 and SiO_2 stating that there is no evidence that numbers of layers are critical – and yet Kuus itself shows that numbers of layers are critical. Applicant's figure 3 shows blockage for wavelengths above 1000 nm (infrared) and transmission in the range of 800-1000 nm (near infrared). In contradistinction thereto, Kuus's Fig. 2 shows transmission in the range of approximately 400-700 nm (visible) and blockage above 700 nm (near infrared and middle infrared). A review of Kuus would immediately show one of ordinary skill in the art that Fig. 3 of the specification that Applicant's particular layer configuration works for the purpose disclosed; while other layer configurations of the same materials achieve different effects. Therefore, if anything, the layers of Kuus teach away from the invention, by showing a completely different transmission profile for a different layer configuration.

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Tsuda

So far as Applicant can discern, the purpose of the Kawakatsu reference is to conserve energy by allowing visible light to exit and reflecting infrared back to the filament to improve efficiency of the filament. Again, so far as Applicant can discern, the purpose of the Tsuda reference is to allow infrared to escape to prevent heating of the bulb, while preserving visible light, which is considered desirable for Tsuda's application. These are inconsistent and incompatible motivations, to preserve infrared as opposed to allowing it to escape. Any hypothetical combination would be non-functional. Therefore, one of ordinary skill in the art would not combine these references as the Examiner has done, except through impermissible hindsight in light of Applicant's disclosure.

For the reasons given above, Applicant respectfully submits that the Examiner has failed to make a *prima facie* case against the claims.

New claim 17 particularly recites the application area of night vision. It does not appear that any of the references teaches or suggests, whether separately or in combination, how to cope with problems in the area of night vision or how coatings could be used to improve lamps in this context. New claim 10 also recites night vision, and more details of the preferred embodiment. Applicant accordingly respectfully submits

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that these new claims distinguish even more clearly over the references than the existing claims.

INFORMATION DISCLOSURE

It appears that art from the International Search Report – other than Kawakatsu and Kuus – has not been made of record in this application. Accordingly, Applicant submits herewith a PTO SB/08A form listing that art and copies of the foreign documents.

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Applicant respectfully submits that he has addressed each issue raised by the Examiner — except for any that were skipped as moot — and that the application is accordingly in condition for allowance. Allowance is therefore respectfully requested.

Respectfully submitted,

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Date of printing: June 17, 2006

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